

Prepared from
FORM PTO-1390

Transmittal Letter to the United States
Designated/Elected Office (DO/EO/US)

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#3
with
Surcharge

Attorney's Docket No. : 242/9-1999
U.S. Application No. : 10/509,446
Filed : September 28, 2004
Applicant(s) : Fabio FRABETTI, et al
International Application No. : PCT/IB03/01205
International Filing Date : 2 April 2003
Priority Date Claimed : 3 April 2002 (BO2002A000175)
Title of Invention : **FEEDING DEVICE OF CHOCOLATES AND SIMILAR PRODUCTS**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures [35 U.S.C. 371 (f)] at any time rather than delay examination until the expiration of the applicable time limit set forth in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a) ☐ is transmitted herewith (required only if not transmitted by the International Bureau)
 - b) ☐ has been transmitted by the international Bureau
 - c) ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English [35 U.S.C. 371(c)(2)]
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a) ☐ are transmitted herewith (required only if not transmitted by the International Bureau)
 - b) ☐ have been transmitted by the International Bureau
 - c) ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d) ☐ have not been made and will not be made
8. ☐ A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98 (5 docs.)
12. ☒ An Assignment document for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 are included.
13. ☐ A **FIRST** preliminary amendment
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment
14. ☒ **THE APPLICANT AND/OR ASSIGNEE, IF ANY, HEREBY CLAIMS SMALL ENTITY STATUS.**
15. ☐ A change of power of attorney and/or address letter
16. ☒ (other items or information) **Supplemental Application Data Sheet; Request for refund for Small Entity;**

EXPRESS MAIL No.: EV332298907US Deposited: December 1, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: December 1, 2004

17. _ The following fees are submitted:

BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]:

CALCULATIONS

PTO USE ONLY

<input checked="" type="checkbox"/> Search Report has been prepared by the EPO or JPO.....	\$920.00		
<input type="checkbox"/> International preliminary examination fee paid to USPTO [37 CFR 1.482].....	\$730.00		
<input type="checkbox"/> No International preliminary examination fee paid to USPTO [37 CFR 1.482] but International search fee paid to USPTO [37 CFR 1.445(a)(2)].....	\$750.00		
<input type="checkbox"/> Neither International preliminary examination fee [37 CFR 1.482] nor International search fee [37 CFR 1.445(a)(2)] paid to USPTO.....	\$1080.00		
<input type="checkbox"/> International preliminary examination fee paid to USPTO [37 CFR 1.482] and all claims satisfied provisions of PCT Article 33(1)-(4).....	\$100.00		
ENTER APPROPRIATE BASIC FEE AMOUNT:		\$ Paid	
Claims	Number	Number	Rate
	filed	extra	
Total Claims	17-20= 24	14 x \$ 18. =	\$112.00
Indep. Claims	1-03= 0	x \$ 86 =	
<input checked="" type="checkbox"/> Multiple Dependent Claim(s) (if applicable)		+290.00	
TOTAL OF ABOVE CALCULATIONS:		\$ Paid	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [X] 30 months from the earliest claimed priority date [37 CFR 1.492(e)]		\$	
TOTAL OF ABOVE CALCULATIONS:		\$ 130.00	
Reduction by 1/2 for filing by small entity, if applicable. [Note 37 CFR 1.9, 1.27, 1.28]		\$ 65.00	
SUBTOTAL:		\$ 65.00	
Processing fee of \$130.00 for furnishing the English Translation later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(f)]			
TOTAL NATIONAL FEE:		\$ 65.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31] \$ 40.00 per property +		\$ 40.00	
TOTAL FEES ENCLOSED:		\$ 105.00	

☒ A check in the amount of **\$105.00** to cover the above fees is enclosed.

☒ The Commissioner is hereby authorized to charge the deposit account any other fees required with this submission or to credit any overpayment to Deposit Account No: 04-0838. A duplicate of this form is enclosed.

NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

William J. Sapone, Esq.
Coleman Sudol Sapone P.C.
714 Colorado Avenue
Bridgeport CT 06605

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William J. Sapone

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December 1, 2004

Name Tel. (203) 366-3560

Signature

Reg. No. Date